

FILED
U.S. DISTRICT COURT

2007 MAY 31 3:09

DISTRICT OF UTAH

BY: 
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

GAILYNN M. WARNER,

Plaintiff,

vs.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

Civil No. 2:06CV 00635DS

ORDER

Honorable David Sam

Based upon Defendant's Motion To Remand Pursuant to 42 U.S.C. § 405(g) and good cause appearing therefor,

IT IS HEREBY ORDERED that pursuant to sentence four of 42 U.S.C. § 405(g), this case is remanded to the Commissioner for further administrative proceedings. IT IS FURTHER ORDERED that judgment shall be entered in accordance with Fed. R. Civ. P. 58, consistent with the United States Supreme Court's decision in *Shalala v. Schaefer*, 509 U.S. 292, 296-302 (1993).

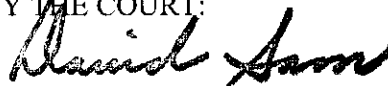
Upon remand, the Commissioner is hereby directed to assign this case to an administrative law judge ("ALJ") to hold supplemental hearing in order to give Plaintiff the opportunity to testify regarding her daily activities, impairments, limitations, medication usage, etc. In addition, the ALJ will obtain supplemental evidence from a vocational expert to clarify the effects of the assessed limitations on Plaintiff's ability to perform light and sedentary work.

Further, the ALJ will investigate and elicit a reasonable explanation for any conflict between the vocational expert's testimony and the *Dictionary of Occupational Titles*.

Accordingly, this action shall be dismissed.

DATED this 31st day of May, 2007.

BY THE COURT:

A handwritten signature in black ink, appearing to read "David Sam", written over a horizontal line.

Honorable David Sam